

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOTT FRANCIS ICEBERG,

Plaintiff(s),

V.

STATE OF WASHINGTON DSHS/DVR, et al.,

Defendant(s).

Case No. 2:15-cv-01232-JLR

PLAINTIFF'S MOTION FOR
ACCOMMODATION

NOTE ON MOTION
CALENDAR 8-23-2016

I. INTRODUCTION

Plaintiff has repeatedly requested that counsel for Defense confer with him via email, mail, skype, or some other means other than in person, or via telephone. Defendant refuses to acknowledge this request for accommodation.

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3 **II ARGUMENT**

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The Americans with Disabilities Act (ADA) is a wide-ranging civil rights law that prohibits, under certain circumstances, discrimination based on disability. The ADA does not apply to the federal judiciary. However, pursuant to Judicial Conference policy, federal courts provide reasonable accommodations to persons with communications disabilities. What constitutes a "communication disability" has not been defined by the Judicial Conference, statute, or case law.

Plaintiff often cannot communicate with counsel for Defendants in person, or via telephone, due to his disability. The stress of such ad hoc communications renders him unable to effectively communicate. As such, Plaintiff has repeatedly requested the reasonable accommodation, from the Attorney General's Office of Washington, that they communicate with him primarily via email, mail, skype, or some other means rather than in person or via telephone. These requests have been ignored, denied, or have gone otherwise unacknowledged. Nonetheless, counsel for Defendants, at times, has communicated with Plaintiff. However, counsel selectively and strategically refuses to confer with Plaintiff via email, mail, or skype; but only when doing so would give counsel some unfair tactical advantage.

IV. CONCLUSION

For these reasons, the court should grant Plaintiff's request, and order that counsel for Defendants communicate with him primarily via email, mail, skype, or some other means other than in person, or via telephone.

RESPECTFULLY SUBMITTED this 9th day of September, 2016

Star City

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